

Remarks

Applicants have received and carefully reviewed the Office Action mailed January 19, 2007. Reconsideration and allowance of the pending claims are respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Claims 1-4 are rejected as being unpatentable over Eden et al. (US 2004/0100194A1) in view of Cheng et al. The Examiner acknowledges that Eden et al. fail to teach eutectic bonding between wafers, and asserts that it would have been obvious to one of ordinary skill in the art to use the eutectic binding of Chen et al. in the device of Eden et al. because eutectic bonding provides faster stronger bonds and a lower manufacturing temperature and thus would improve manufacturing of the device. Applicants respectfully disagree. Eden et al. teach using conventional plastic laminate, glass, quartz or mica to seal the device 500. See paragraph [0070]. In particular, Eden et al. teach sealing the microdischarge photodetector with glass frit at a temperature of 300 degrees C. See paragraph [0071]. Further, Eden et al. teach, "The present invention provides microdischarge photodetectors and arrays of microdischarge photodetectors that are relatively inexpensive and easy to fabricate using conventional techniques, are readily able to be integrated with conventional electronic or optoelectronic devices, and amenable to mass production." See paragraph [0041]. Eden et al. thus appear to teach a suitable means for sealing their device at a lower temperature that already provides a device that is easy and inexpensive to manufacture. Applicants submit that there the only motivation for one of ordinary skill in the art to substitute the eutectic bonding of Cheng et al. for the conventional bonding of Eden et al. appears to be in the instant specification, which appears improper. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 5 -12, 20-27, and 29-32 are rejected as being unpatentable over Eden et al. in view of Cheng et al. and Axmark et al. (US 3,732,452). For at least the reasons set forth above, there is no motivation for combining Eden et al. and Cheng et al. Axmark et al. does not appear to provide what Eden et al. and Cheng et al. lack. The only motivation for combining the


Application Serial No. 10/735531
Reply to Office Action dated January 19, 2007

references appears to be found in Applicants' specification, which appears improper
Reconsideration and withdrawal of the rejection are respectfully requested.

Reconsideration and reexamination are respectfully requested. It is submitted that, in
light of the above remarks, all pending claims are now in condition for allowance. If a telephone
interview would be of assistance, please contact the undersigned attorney at 612-359-9348.

Respectfully submitted,

Date: 03-19-07


John G. Shudy, Jr., Reg. No. 31,214
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349